

By Representative Fiorentino

1                                   A bill to be entitled  
2           An act relating to voter registration; amending  
3           s. 97.052, F.S.; authorizing private  
4           individuals and groups to reproduce voter  
5           registration applications under certain  
6           conditions; deleting the requirement to provide  
7           on a voter registration application the  
8           applicant's address of property for which a  
9           homestead exemption has been granted, if any;  
10          deleting the required statement informing  
11          applicants granted a homestead exemption of the  
12          repercussions of registering in a precinct  
13          other than that in which the homestead property  
14          is located; repealing s. 98.015(11), F.S.,  
15          relating to duty of the supervisor of elections  
16          to report to the property appraiser certain  
17          information on a person registering to vote at  
18          an address different from the one where the  
19          person has filed for a homestead exemption, to  
20          conform; amending s. 196.141, F.S.; deleting  
21          the requirement for the property appraiser to  
22          review information provided by the supervisor  
23          of elections on certain voters and to initiate  
24          procedures to terminate homestead exemptions  
25          and assess back taxes, as appropriate, to  
26          conform; amending s. 97.057, F.S.; requiring  
27          the Department of Highway Safety and Motor  
28          Vehicles to forward copies of unsigned voter  
29          registration applications within a specified  
30          period to the appropriate supervisors of  
31          elections; amending s. 97.058, F.S.; requiring

1 voter registration agencies to forward copies  
2 of incompletd voter registration applications  
3 within a specified period to the appropriate  
4 supervisors of elections; amending s. 97.071,  
5 F.S.; requiring voter registration  
6 identification cards to have the name, rather  
7 than the signature, of the supervisor of  
8 elections; amending s. 97.1031, F.S.; revising  
9 notice requirements for change of residence  
10 within the same county; amending s. 98.0977,  
11 F.S.; revising duties of the supervisor of  
12 elections relating to maintenance of the voter  
13 registration rolls; providing for an  
14 administrative hearing, as an alternative to  
15 notice, to determine the eligibility of voters  
16 convicted of a felony or adjudicated mentally  
17 incapacitated with respect to voting; providing  
18 an effective date.

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20 Be It Enacted by the Legislature of the State of Florida:

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22 Section 1. Paragraph (c) of subsection (1) and  
23 subsections (2) and (3) of section 97.052, Florida Statutes,  
24 are amended to read:

25 97.052 Uniform statewide voter registration  
26 application.--

27 (1) The department shall prescribe a uniform statewide  
28 voter registration application for use in this state.

29 (c) The uniform statewide voter registration  
30 application may ~~not~~ be reproduced by any private individual or  
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1 group, provided the reproduced application is in the same  
2 format as the application prescribed under this section.  
3       (2) The uniform statewide voter registration  
4 application must be designed to elicit the following  
5 information from the applicant:  
6       (a) Full name.  
7       (b) Date of birth.  
8       (c) Address of legal residence.  
9       (d) Mailing address, if different.  
10       (e) County of legal residence.  
11       ~~(f) Address of property for which the applicant has~~  
12 ~~been granted a homestead exemption, if any.~~  
13       (f)~~(g)~~ Race or ethnicity that best describes the  
14 applicant:  
15       1. American Indian or Alaskan Native.  
16       2. Asian or Pacific Islander.  
17       3. Black, not Hispanic.  
18       4. White, not Hispanic.  
19       5. Hispanic.  
20       (g)~~(h)~~ Sex.  
21       (h)~~(i)~~ Party affiliation.  
22       (i)~~(j)~~ Whether the applicant needs assistance in  
23 voting.  
24       (j)~~(k)~~ Name and address where last registered.  
25       (k)~~(l)~~ Last four digits of the applicant's social  
26 security number.  
27       (l)~~(m)~~ Florida driver's license number or the  
28 identification number from a Florida identification card  
29 issued under s. 322.051.  
30       (m)~~(n)~~ Telephone number (optional).  
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1        (n)~~(o)~~ Signature of applicant under penalty for false  
2 swearing pursuant to s. 104.011, by which the person  
3 subscribes to the oath required by s. 3, Art. VI of the State  
4 Constitution and s. 97.051, and swears or affirms that the  
5 information contained in the registration application is true.

6        (o)~~(p)~~ Whether the application is being used for  
7 initial registration, to update a voter registration record,  
8 or to request a replacement registration identification card.

9        (p)~~(q)~~ Whether the applicant is a citizen of the  
10 United States.

11        (q)~~(r)~~ That the applicant has not been convicted of a  
12 felony or, if convicted, has had his or her civil rights  
13 restored.

14        (r)~~(s)~~ That the applicant has not been adjudicated  
15 mentally incapacitated with respect to voting or, if so  
16 adjudicated, has had his or her right to vote restored.

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18 The registration form must be in plain language and designed  
19 so that convicted felons whose civil rights have been restored  
20 and persons who have been adjudicated mentally incapacitated  
21 and have had their voting rights restored are not required to  
22 reveal their prior conviction or adjudication.

23        (3) The uniform statewide voter registration  
24 application must also contain:

25        (a) The oath required by s. 3, Art. VI of the State  
26 Constitution and s. 97.051.

27        (b) A statement specifying each eligibility  
28 requirement under s. 97.041.

29        (c) The penalties provided in s. 104.011 for false  
30 swearing in connection with voter registration.

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1           (d) A statement that, if an applicant declines to  
2 register to vote, the fact that the applicant has declined to  
3 register will remain confidential and may be used only for  
4 voter registration purposes.

5           (e) A statement that informs the applicant who chooses  
6 to register to vote or update a voter registration record that  
7 the office at which the applicant submits a voter registration  
8 application or updates a voter registration record will remain  
9 confidential and may be used only for voter registration  
10 purposes.

11           ~~(f) A statement that informs the applicant that any~~  
12 ~~person who has been granted a homestead exemption in this~~  
13 ~~state, and who registers to vote in any precinct other than~~  
14 ~~the one in which the property for which the homestead~~  
15 ~~exemption has been granted, shall have that information~~  
16 ~~forwarded to the property appraiser where such property is~~  
17 ~~located, which may result in the person's homestead exemption~~  
18 ~~being terminated and the person being subject to assessment of~~  
19 ~~back taxes under s. 193.092, unless the homestead granted the~~  
20 ~~exemption is being maintained as the permanent residence of a~~  
21 ~~legal or natural dependent of the owner and the owner resides~~  
22 ~~elsewhere.~~

23           Section 2. Subsection (11) of 98.015, Florida  
24 Statutes, is repealed:

25           98.015 Supervisor of elections; election, tenure of  
26 office, compensation, custody of books, office hours,  
27 successor, seal; appointment of deputy supervisors; duties.--

28           ~~(11) Each supervisor of elections shall forward to the~~  
29 ~~property appraiser for the county in which the homestead is~~  
30 ~~claimed the name of the person and the address of the~~  
31 ~~homestead of each person who registers to vote at an address~~

1 ~~other than that at which the person claims a homestead~~  
2 ~~exemption, as disclosed on the uniform statewide voter~~  
3 ~~registration application pursuant to s. 97.052.~~

4 Section 3. Section 196.141, Florida Statutes, is  
5 amended to read:

6 196.141 Homestead exemptions; duty of property  
7 appraiser.--

8 (1) The property appraiser shall examine each claim  
9 for exemption filed with or referred to him or her and shall  
10 allow the same, if found to be in accordance with law, by  
11 marking the same approved and by making the proper deductions  
12 on the tax books.

13 ~~(2) The property appraiser shall examine each~~  
14 ~~referral, of a person registering to vote at an address~~  
15 ~~different from the one where the person has filed for a~~  
16 ~~homestead exemption, which has been provided by a supervisor~~  
17 ~~of elections pursuant to s. 98.015. The property appraiser~~  
18 ~~shall initiate procedures to terminate a person's homestead~~  
19 ~~exemption and assess back taxes, if appropriate, if the person~~  
20 ~~claiming such exemption is not entitled to the exemption under~~  
21 ~~law.~~

22 Section 4. Paragraph (b) of subsection (2) of section  
23 97.057, Florida Statutes, is amended to read:

24 97.057 Voter registration by the Department of Highway  
25 Safety and Motor Vehicles.--

26 (2) The Department of Highway Safety and Motor  
27 Vehicles shall:

28 (b) Require a driver's license examiner to inquire  
29 orally, or inquire in writing if the applicant is hearing  
30 impaired, and whether the applicant wishes to register to vote  
31 or update a voter registration record during the completion of

1 a driver's license or identification card application,  
2 renewal, or change of address.

3 1. If the applicant chooses to register to vote or to  
4 update a voter registration record:

5 a. All applicable information received by the  
6 Department of Highway Safety and Motor Vehicles in the course  
7 of filling out the forms necessary under subsection (1) must  
8 be transferred to a voter registration application;

9 b. The additional necessary information must be  
10 obtained by the driver's license examiner and must not  
11 duplicate any information already obtained while completing  
12 the forms required under subsection (1); and

13 c. A voter registration application with all of the  
14 applicant's voter registration information must be presented  
15 to the applicant to sign.

16 2. If the applicant declines to register to vote,  
17 update the applicant's voter registration record, or change  
18 the applicant's address by either orally declining or by  
19 failing to sign the voter registration application, the  
20 Department of Highway Safety and Motor Vehicles must keep the  
21 declination for 2 years but must forward a copy of the  
22 unsigned voter registration application within 5 days after  
23 receipt to the appropriate supervisor of elections.

24 Section 5. Subsection (7) of of section 97.058,  
25 Florida Statutes, is amended to read:

26 97.058 Voter registration agencies.--

27 (7) A voter registration agency must retain  
28 declinations for a period of 2 years, during which time the  
29 declinations are not considered a record of the client  
30 pursuant to the laws governing the agency's records. However,  
31 a voter registration agency must forward a copy of each

1 incompleted voter registration application within 5 days after  
2 receipt to the appropriate supervisor of elections.

3 Section 6. Paragraph (j) of subsection (1) of section  
4 97.071, Florida Statutes, is amended to read:

5 97.071 Registration identification card.--

6 (1) A registration identification card must be  
7 furnished to all voters registering under the permanent single  
8 registration system and must contain:

9 (j) Name ~~Signature~~ of supervisor.

10 Section 7. Subsection (1) of section 97.1031, Florida  
11 Statutes, is amended to read:

12 97.1031 Notice of change of residence within the same  
13 county, change of name, or change of party.--

14 (1) When an elector moves from the address named on  
15 that person's voter registration record to another address  
16 within the same county, the elector must provide ~~a signed,~~  
17 ~~written~~ notification of such move to the supervisor of  
18 elections of that county. The elector may provide the  
19 supervisor a signed, written notice or may notify the  
20 supervisor by telephone or electronic means. However,  
21 notification of such move other than by signed, written notice  
22 must include the elector's date of birth, and obtain A  
23 registration identification card reflecting the new address of  
24 legal residence shall be issued to the elector as provided in  
25 subsection (4).

26 Section 8. Subsection (3) of section 98.0977, Florida  
27 Statutes, is amended to read:

28 98.0977 Statewide voter registration database;  
29 development and maintenance.--

30 (3)(a) In administering the database, each supervisor  
31 of elections shall compare registration information provided



1 by a voter with information held by the Department of Law  
2 Enforcement, the Board of Executive Clemency, the Office of  
3 Vital Statistics, and other relevant sources.

4 (b) The supervisor of elections shall remove from the  
5 voter registration rolls the name of any person who is listed  
6 in the database as deceased.

7 (c) Information in the database indicating that a  
8 person registered to vote in a given county has subsequently  
9 registered to vote in another jurisdiction shall be considered  
10 as a written request from that voter to have his or her name  
11 removed from the voter registration rolls of that county, and  
12 the supervisor of elections of that county shall remove that  
13 voter's name from the county's voter registration rolls.

14 (d) When ~~if~~ the supervisor of elections finds  
15 information through the database that suggests that a voter  
16 has been convicted of a felony and has not had his or her  
17 civil rights restored or has been adjudicated mentally  
18 incompetent and his or her mental capacity with respect to  
19 voting has not been restored ~~is ineligible to register to~~  
20 ~~vote~~, the supervisor of elections shall notify the voter by  
21 certified United States mail. The notification shall contain  
22 a statement as to the reason for the voter's potential  
23 ineligibility to ~~be registered~~ ~~register~~ to vote and shall  
24 request information from the voter on forms provided by the  
25 supervisor of elections ~~in order to make a final determination~~  
26 ~~on the voter's eligibility~~. As an alternative, the voter may  
27 attend an administrative hearing at a time and place specified  
28 in the notice. If there is evidence that the notice was not  
29 received, notice must be given once by publication in a  
30 newspaper of general circulation in the county. The notice  
31 must plainly state that the voter is potentially ineligible to

1 be registered to vote and must state a time and place for the  
2 person to appear before the supervisor of elections to show  
3 cause why his or her name should not be removed from the voter  
4 registration rolls. After reviewing the information ~~requested~~  
5 ~~by the supervisor of elections~~ and provided by the voter, if  
6 the supervisor of elections determines that the voter is not  
7 eligible to vote under the laws of this state, the supervisor  
8 of elections shall notify the voter by certified United States  
9 mail that he or she has been found ineligible to be registered  
10 ~~register~~ to vote in this state, shall state the reason for the  
11 ineligibility, and shall inform the voter that he or she has  
12 been ~~will be~~ removed from the voter registration rolls. The  
13 supervisor of elections shall remove from the voter  
14 registration rolls the name of any voter who fails either to  
15 respond within 30 days to the notice sent by certified mail or  
16 to attend the administrative hearing.

17 Section 9. This act shall take effect upon becoming a  
18 law.

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HOUSE SUMMARY

Authorizes private individuals and groups to reproduce voter registration applications under certain conditions. Removes the requirement to provide on a voter registration application the applicant's address of property for which a homestead exemption has been granted, if any; and eliminates notice and duties of the supervisor of elections and property appraiser with respect thereto, to conform. Requires the Department of Highway Safety and Motor Vehicles to forward unsigned voter registration applications within a specified period to the appropriate supervisors of elections. Requires voter registration agencies to forward copies of incompleated voter registration applications within a specified period to the appropriate supervisors of elections. Requires voter registration identification cards to have the name, rather than the signature, of the supervisor of elections. Revises notice requirements for change of residence within the same county. Revises duties of the supervisor of elections relating to maintenance of the voter registration rolls. Provides for an administrative hearing, as an alternative to notice, to determine the eligibility of voters convicted of a felony or adjudicated mentally incapacitated with respect to voting. See bill for details.